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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Aikihito Kusano et al.

Application No.: 10/807,351

Filing Date: March 24, 2004

Title: VEHICLE HYDRAULIC BRAKE DEVICE

Group Art Unit: 3683

Examiner: MELDOY M. BURCH

Confirmation No.: 5379

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are _____

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____

_____ on _____,
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	9	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

Date: April 29, 2005

By Matthew L. Schneider
 Matthew L. Schneider
 Registration No. 32,814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Aikihiro Kusano et al.

Application No.: 10/807,351

Filed: March 24, 2004

For: VEHICLE HYDRAULIC BRAKE
DEVICE

Group Art Unit: 3683

Examiner: MELDOY M BURCH

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated March 31, 2005, the following remarks are submitted.

The Official Action indicates that the claims in this application are directed to four different species. As identified in the Official Action, the four species are as follows.

Species I shown in Fig. 1.

Species II illustrated in Fig. 2.

Species III depicted in Fig. 3.

Species IV shown in Fig. 4.

Based on the observation that the four species are patentably distinct from one another, an election of species requirement has been imposed requiring an election of one of the four species.

In response to the election of species requirement, applicants hereby elect, with traverse, Species I illustrated in Fig. 1. Claims 1-9 are readable on the elected species.

The election of Species I is made with traverse because all of the claims of this application can be examined at the same time without serious burden. Indeed, as noted, all of the currently pending claims are readable on the elected species. To the extent claims readable on species other than the elected species are added at a later time, the search required for such claims would be substantially coextensive with the search associated with the elected species. In addition, examining such potential additional claims would not likely involve consideration of an excessive number of additional claims.

In light of the foregoing, withdrawal of the election of species requirement and examination of all of the claims of this application are respectfully requested.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: April 29, 2005

By: Matthew L. Schneider
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